

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RON FOX,

Plaintiff,

No. 05-CV-73510-DT

vs.

Hon. Gerald E. Rosen

BAY CITY, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S COMPLAINT, IN ITS ENTIRETY

At a session of said Court, held in the
U.S. Courthouse, Detroit, Michigan
on August 30, 2007

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This Section 1983 civil rights matter against the only three remaining Defendants in this action¹ having come before the Court on the July 24, 2007 Report and Recommendation of United States Magistrate Judge Mona K. Majzoub recommending that the Court grant Defendant State of Michigan's motion to dismiss for failure to state a claim; dismiss Defendant Bob Panzer, without prejudice, pursuant to Fed. R. Civ. P. 4(m); and that Defendant "John Doe, person who filed probation report" be dismissed pursuant to the previous dismissal of Veronica Papajesk, who was, subsequent to the original filing of

¹ The Court previously dismissed all of Plaintiff's claims against the other 26 named defendants. [See Docket Nos. 36 and 51.]

Plaintiff's Complaint, identified as the person who filed the subject probation report; and no timely objections having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's entire file of this action, and having concluded that, for the reasons stated in the Report and Recommendation, Plaintiff's claims against Defendants State of Michigan, Bob Panzer and "John Doe" should be dismissed and that this case, accordingly should now be dismissed in its entirety; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of July 24, 2007 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, (1) Defendant State of Michigan's Motion to Dismiss be, and hereby is, GRANTED; (2) Defendant Bob Panzer is dismissed, without prejudice, pursuant to Fed. R. Civ. P. 4(m); and (3) Plaintiff's claims against Defendant "John Doe" are dismissed as moot, pursuant to the previous dismissal of Defendant Veronica Papajesk. These being the only defendants remaining in this action,

IT IS FURTHER ORDERED that Plaintiff's Complaint is DISMISSED in its entirety.

Let Judgment be entered accordingly.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: August 30, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 30, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager